



**COMMONWEALTH of VIRGINIA**  
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**MEMORANDUM**

**TO:** Col. W.S. Flaherty, Superintendent  
Department of State Police

**FROM:** Charles A. Quagliato  
Assistant Attorney General

**DATE:** March 17, 2010

**SUBJECT:** Regulation Relating to Motor Carrier Safety Regulations – 19 VAC 30-20.

In response to a request from the Department of State Police, I have reviewed the proposed technical amendments to the regulations to be set forth in 19 VAC 30-20 relating to compliance with changes in the controlling Federal Motor Carrier Regulations (49 CFR Part 390, sections 390-397 and 399). Upon review of the aforesaid amendments, I find it to be constitutional, consistent with the statutory authority conferred by § 52-8.4 of the Code of Virginia, and in conformity with existing statutory provisions. This change to the regulations is exempted from the Administrative Process Act, pursuant to § 2.2-4006(A)(4)(c), in order meet the requirements of federal law or regulations.

*Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that a certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.*